

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Case No.:

MICHAEL P. REGAN,

COMPLAINT

Plaintiff,

**A TRIAL BY JURY
IS DEMANDED**

-against-

UNITED STATES POSTAL SERVICE,

Defendants.

Plaintiff, by his attorneys RUTBERG BRESLOW PERSONAL INJURY LAW, complaining of the defendants respectfully alleges:

1. Plaintiff Michael P. Regan is a resident and citizen of Orange County, State of New York.
2. Defendant United States Postal Service is an agency of the United States of America.
3. This court has jurisdiction pursuant to 28 U.S.C.A. § 1346(b).
4. On October 14, 2021, Plaintiff timely filed an administrative claim pursuant to the Federal Tort Claims Act with the USPS. More than six (6) months passed and the USPS has not acted on the claim. This action is timely filed pursuant to 28 U.S.C.A. § 2401(b).
5. That prior to July 31, 2021, the United States Postal Service caused a mailbox to be placed on the sidewalk at or about the premises known as 240 and 242 Main Street, Beacon, New York.
6. That upon information and belief, prior to July 31, 2021, the United States Postal Service removed portions of the sidewalk at or about the premises known as 240 and 242 Main Street, Beacon, New York for the purpose of placing its mailbox at that location.

7. That upon information and belief prior to July 31, 2021, the United States Postal Service removed paving bricks from the sidewalk area to place its mailbox at or about 240 and 242 Main Street, Beacon, New York.

8. The removal of the bricks created an uneven sidewalk surface and a tripping hazard.

9. That on or about July 31, 2021, the said premises at or about 240 and 242 Main Street, Beacon, New York, due to the negligence of the defendant, United States Postal Service, was in a condition which was dangerous for persons thereon.

10. That on July 31, 2021, the plaintiff was caused to fall when stepping onto the edge of the concrete sidewalk and the area of the missing paving bricks next to the United states Postal Service mailbox on the sidewalk.

11. As a result of his fall, plaintiff suffered physical injuries and distress, lost wages and incurred medical expenses for the treatment of his injuries.

12. Venue is proper in this District pursuant to 28 U.S.C.A. § 1391 (e).

WHEREFORE, Plaintiff demands money judgment against defendant in an amount commensurate with plaintiff's injuries and damages.

DATED: Poughkeepsie, New York
May 4, 2023

Yours, etc.,

RUTBERG BRESLOW PERSONAL INJURY LAW

By: 

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